

UNITED STATES' MOTION FOR LEAVE
TO PARTICIPATE AS *AMICUS CURIAE*
Case No. 7:09-CV-411 (GTS/GHL)

Exhibit A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
SYRACUSE DIVISION

CHARLES PATRICK PRATT and
A.E.P. through her parents and next friends
Bobbi Lynn Petranchuk and
Todd Edward Petranchuk,

Plaintiffs,

v.

Case No.: 7:09-cv-411 (GTS/GHL)

INDIAN RIVER CENTRAL SCHOOL
DISTRICT; INDIAN RIVER CENTRAL
SCHOOL DISTRICT BOARD OF
EDUCATION; JAMES KETTRICK,
Superintendent of Indian River Central
School District, in his official and individual
capacities; TROY DECKER, Principal of
Indian River High School, in his official
and individual capacities; and JAY BROWN,
JOHN DAVIS, KENDA GRAY, AMABLE
TURNER, PATRICIA HENDERSON, and
BRIAN MOORE, in their individual capacities,

Defendants.

UNITED STATES' CERTIFICATE OF CONFERRAL

Pursuant to the letter and spirit of Local Rule 7.1(b)(2), the United States sought the consent of the parties prior to filing the Motion for Leave to Participate as *Amicus Curiae*:

1. On August 11, 2010, counsel for the United States called Thomas W. Ude, Jr, counsel of record for the Plaintiffs, to inform the Plaintiffs of the United States' intention to file a Motion for Leave to Participate as *Amicus Curiae* and to seek their consent. Mr. Ude asked for

time to confer with his co-counsel. Later that day, Mr. Ude left a voicemail for counsel for the United States stating that the Plaintiffs consented to the United States' filing.

2. Also on August 11, 2010, counsel for the United States called Frank W. Miller, counsel of record for the Defendants, to inform the Defendants of the United States' intention to file a Motion for Leave to Participate as *Amicus Curiae* and to seek their consent. Mr. Miller asked for time to confer with his clients. Later that day, Mr. Miller left a voicemail for counsel for the United States stating that the Defendants opposed the United States' filing.

Dated: August 13, 2010

RICHARD S. HARTUNIAN
United States Attorney
Northern District of New York

Respectfully submitted,

THOMAS E. PEREZ
Assistant Attorney General
Civil Rights Division

/s/ Krishna K. Juvvadi

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CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of August, 2010, I served copies of the foregoing pleading to counsel of record via the United States District Court for the Northern District of New York's electronic filing system:

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/s/ William H. Pease

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